

**CLERMONT COUNTY PLANNING COMMISSION
THIRD REGULAR MEETING
March 27, 2007**

The Third Regular Meeting of the Clermont County Planning Commission was held on Tuesday, March 27, 2007 at 5:00 p.m. in the Engineering/Planning Conference Room. Members present were Ms. Potter, Ms. Rochford and Messrs. Freeman (arrived at 5:20 p.m.), Hoffman (arrived at 5:05 p.m.), Maham, Nichols, Schultz, Turton and Vandlandingham.

APPROVAL OF MINUTES:

Chairman Maham asked if there were any questions, additions or corrections to the February Minutes and the Special Meeting Minutes (March 14, 2007) that had been mailed to the members prior to the meeting. A motion to approve the February Meeting Minutes and the March 14, 2007 Special Meeting Minutes was made by Mr. Vanlandingham, seconded by Mr. Turton, and carried unanimously.

April 17, 2007 Work Session

Mr. Hershner announced that the April work session will be held on April 17, 2007 at 5:00 p.m. David Spinney, County Administrator and others will be present to discuss plans for the SR 32 Corridor.

May 9, 2007 Work Session

Mr. Hershner announced that the May work session will be a tour of the mining site on SR 276 in Jackson Township.

STAFF REPORT ON SUBDIVISION CASES

<u>Wetherby Farms</u>	<u>Revised Design Plan</u>	<u>Union Township</u>
5:20 p.m.		

Mr. Hanigosky presented the Staff Report for this Revised Design Plan. Staff's recommendation was for approval of the Revised Design Plan, contingent upon satisfactory resolution of all staff and agency comments.

Jim Watson, McGill Smith Punshon, was present for this case.

Following discussion, Ms. Rochford moved that the Planning Commission **approve** the Revised Design Plan for Wetherby Farms based on the following recommendation:

1. The applicant shall address the comments submitted by the Clermont County Engineer, Clermont County Building Inspection Department, Clermont County Water & Sewer District, and the USDA NRCS prior to Final Construction Plan Approval.

Motion was seconded by Mr. Vanlandingham, and carried unanimously.

STAFF REPORT ON ZONING CASES

Batavia Twp. Zoning Case B-13-04Z MM

Daniel B. Wolfe

5:12 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

Mark Jaehnen, Santoro Engineering Company, and Daniel Wolfe, applicant, were present. Mr. Jaehnen addressed staff's comments.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Batavia Township **approval** of Batavia Township Zoning Case B-13-04Z MM, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission moves to recommend **APPROVAL** to Batavia Township of the request to modify the Trautmann Farm Perserves PD based on the following Staff Findings and Additional Recommendation(s) for Modification:

STAFF FINDINGS:

1. The proposed increase in single family lots is contrary to the density requirements stated in the Batavia Township Growth Management Plan.
2. Remora Meadows and Remora Ridges need to be the same name for they are the same street.
3. The street Lee Shore Way poses a concern in that it is too close to the round-about intersection.
4. Lots #178, 179, 209, and 210 are too close to State Route 222, requiring a larger open space as previously proposed.
5. The natural drainage or water ways throughout the site shall have a minimum conservation buffer of fifty (50) feet.

RECOMMENDED CONDITIONS:

1. Address all comments and concerns submitted by the Clermont County Engineer, Clermont County Building Inspection Department, Clermont County Water and Sewer District, and the USDA NRCS, as well as those comments stated in this report.

2. Compliance with the conditions set forth in the Batavia Township Growth Management Plan.

Miami Twp. Zoning Case 517

Extendicare Health Services

5:25 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for denial of the proposed request for reasons stated in the staff report.

Larry Fronk, Miami Township Community Development Director, was present for this case.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Miami Township **denial** of Miami Township Zoning Case 517, per staff's recommendation as follows, seconded by Mr. Turton, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission move to recommend **DENIAL** to Miami Township of the request to rezone parcel 182516B045 from "R-2" Single Family Residential to "B-1" Neighborhood Business for the purpose of constructing an Assisted Living Facility based on the following Staff Findings and Additional Recommendation(s) for Modification:

STAFF FINDINGS:

1. "B-1" Neighborhood Business District permits a variety of commercial land uses well beyond the convalescent home facility proposed which may negatively impact the adjacent residential communities.
2. The proposed Convalescent Home Facility is subject to a conditional use permit, requiring a subsequent application and hearing before the Township Board of Zoning Appeals.

RECOMMENDED CONDITIONS:

The Planning Staff recommends the following conditions if the property owner / applicant elects to revise the application to include a Planned Business Development Overlay District:

1. Compliance with Section 19.01 subsection B., Planned Business Development Overlay District of the Miami Township Zoning Resolution.

Tate Twp. Zoning Case 801GE

Paul Hemmer Companies

5:30 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for denial of the proposed request.

George Eckert, Tate Township Zoning Administrator, and Seth Purry, Paul Hemmer Companies, were present for this case.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Tate Township **approval** of Tate Township Zoning Case 801GE, seconded by Mr. Nichols, and carried five to three (Mr. Freeman, Ms. Rochford, and Mr. Schultz voting no).

Union Twp. Zoning Case 3-80-Z

Select Strategies II, LLC

5:43 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

Mike Paolucci, Select Strategies, was present for this case and offered to answer questions.

Cory Wright, Union Township Planning Director, was also present and offered his support for this project.

Following discussion, Mr. Turton moved that the Planning Commission recommend to Union Township **approval** of Union Township Zoning Case 3-80-Z, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission move to recommend **APPROVAL** to Union Township of the request to modify the existing "PD" Planned Development containing 3.11 acres known as PIN 413213A256 and 0.192 acres known as 414140.029C, at the intersection of St. Route 32 and Mt Carmel Tobasco Road, based on the following Staff Findings and Additional Recommendation(s) for Modification:

STAFF FINDINGS:

1. The anticipated use is consistent with the general purpose, intent, and other applicable regulations of the "PD" District regulations governing Planned Development Districts in areas of Union Township, as approved by the Township Trustees.
2. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare based on comments from the Engineer's Office and sufficient setbacks, buffering and limitations to activity to the rear of the proposed retail center are established by Union Township.

RECOMMENDED CONDITIONS:

1. Compliance with Article 8, Off-Street Parking and Loading Regulations of the *Union Township Zoning Resolution*.
2. Compliance with Article 11, Site Plan Review, of the *Union Township Zoning Resolution* as it relates to Lighting and Screening & Buffering.

3. Compliance with an access design approved by Clermont County Engineer's Office

Union Twp. Zoning Case 1-07-Z

Michael & Kathleen Dewey

5:55 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

James Jeffers, Professional Engineering Group, was present for this case.

Cory Wright, Union Township Planning Director, was also present.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Union Township **approval** of Union Township Zoning Case 1-07-Z, per staff's recommendation as follows, seconded by Mr. Nichols, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission move to recommend **APPROVAL** to Union Township of the request to rezone parcel 413214B068 from "R-2" Residential District to "PD" Planned Development District based on the following Staff Findings and Recommendation(s) for Modification:

STAFF FINDINGS:

1. The business use is consistent with the general purpose, intent, and other applicable regulations of the "PD" District regulations governing Planned Development Districts in areas of Union Township, as approved by the Township Trustees.
2. The proposed planned development zoning is consistent with the recommendations of the Township adopted Land Use Plan in that it provides additional standards to the specific land use.
3. The proposed planned development zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.

RECOMMENDED CONDITIONS:

1. Dedication of a thirty (30) foot half right-of-way along Mt. Carmel Tobasco Road.
2. Retail sales shall be limited to products made on-site or unique to the tenant business, at this time Mt. Carmel Brewery.
3. Elimination of existing two curb cuts with a provision for one new curb cut as closely aligned with Park Place.
4. Recording of a 30 foot wide common access easement located at least 100 feet from the proposed 30 foot half right-of-way, extending from the adjacent property to the north to the adjacent property to the south.

5. Commercial use of the property shall be limited within the front 300 feet of the property measured from the new 30 foot half right-of-way.
6. Improvements necessary to satisfy sewer capacity requirements for the business use.
7. Coordination with Union Township and the Clermont County Engineer for the accommodation of a sidewalk or pedestrian system along Mt. Carmel Tobasco Road.

Union Twp. Zoning Case 2-07-Z

1246 Old SR 74, LLC

6:10 p.m.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

James Jeffers, Professional Engineering Group, was present for this case.

Cory Wright, Union Township Planning Director, was also present.

Following discussion, Mr. Vanlandingham moved that the Planning Commission recommend to Union Township **approval** of Union Township Zoning Case 2-07-Z, per staff's recommendation as follows, seconded by Mr. Turton, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission move to recommend **APPROVAL** to Union Township of the request to rezone 0.90 acres known as PIN 413103B027, 413103B026, and proposed Lot 36 of Spring Fields Subdivision from "R-1" and "R-4" Residential to "PD" Planned Development for construction of a commercial development based on the following Staff Findings and Recommendation(s) for Modification:

STAFF FINDINGS:

1. The anticipated use is consistent with the general purpose, intent, and other applicable regulations of the "PD" District regulations governing Planned Development Districts in areas of Union Township, as approved by the Township Trustees.
2. The proposed zoning is consistent with the recommendations of the Township adopted Land Use Plan, subject to certain limiting conditions.
3. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.

RECOMMENDED CONDITIONS:

1. Compliance with the Article 6, Sections 680-87 of the *Union Township Zoning Resolution* as it relates to the "PD" Planned Development Districts.
2. Compliance with Article 8, Off-Street Parking and Loading Regulations of the *Union Township Zoning Resolution*.

3. Provide “like kind” open space for that taken away in Lot 36 of Spring Fields Subdivision.
4. Record a common access easement 24 feet in width from Springfield Court through the proposed development to the eastern property line for future connectivity and access.
5. Provision of appropriate buffers between the proposed use and future residential lots in Spring Fields Subdivision.
6. Upgraded building materials on the sides and rear of the proposed development facing adjacent residential uses.
7. Emergency only doors to the rear of the proposed structure, limiting delivery, personnel and customer access to the front and sides of the proposed structure.
8. Coordination with Union Township for the continuation of the pedestrian sidewalk from Spring Fields Subdivision to the eastern property boundary.

STAFF REPORT ON ZONING TEXT CASES

Miami Twp. Zoning Case 518

Miami Township

6:20 p.m.

Mr. Turton left the meeting for the evening.

Mr. Hanigosky presented the Staff Report for this zoning request. Staff’s recommendation was for approval of the proposed request.

Larry Fronk, Miami Township Community Development Director, was present and stated he was in agreement with staff comments.

Following discussion, Mr. Vanlandingham moved that the Planning Commission recommend to Miami Township **approval** of Miami Township Zoning Case 518, per staff’s recommendation as follows, seconded by Ms. Rochford, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission move to recommend **APPROVAL** of the proposed text amendments to the *Miami Township Zoning Resolution*, as initiated by the Miami Township Zoning Commission, except for correction of typographic errors in Section 27.06 as noted on the attachment and the replacement of the proposed language in Chapter 17.05 – Development Standards, subparagraph I. – Signs with the following text:

All commercial and office uses must submit signage plans in general compliance with the requirements and standards set forth in Section 24.13 of the Zoning Resolution. The Zoning Commission shall review and

approve the signage plans as part of the Chapter 27 – Site Plan Review at which time appropriate standards shall be determined for signage plans that are based on the character of the State Route 28 Urban Village and further the purpose of the district as a mixed-use, walkable community.

STAFF REPORT ON SUBDIVISION CASES

Lexington Run, Sections 9 & 10 **Formal Plan** **Batavia Township**
6:30 p.m.

Mr. Hershner presented the Staff Report for this Formal. Staff's recommendation was for approval of the Formal Plan, contingent upon satisfactory resolution of all staff and agency comments.

Jim Obert, Great Traditions, was present for this case.

Following short discussion, Mr. Hoffman moved that the Planning Commission **approve** the Formal Plan for Lexington Run, Sections 9 & 10, based on the two attached Staff Review Letters dated July 17, 2006. The motion was seconded by Mr. Vanlandingham and carried unanimously.

COMMITTEE REPORTS

There were no reports at this time.

As there was no further business brought before the Planning Commission, the meeting was adjourned.

Roger J. Maham, Chairman

Tim L. Turton, Vice Chairman